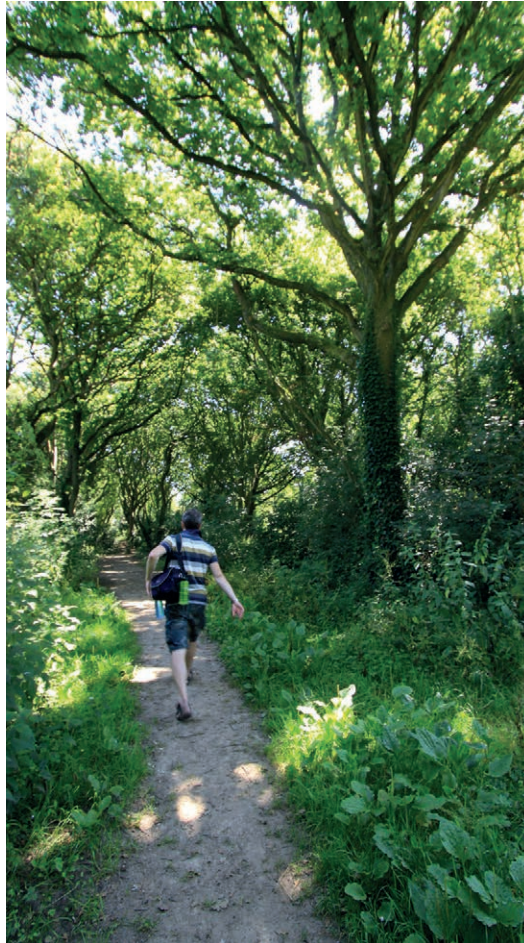
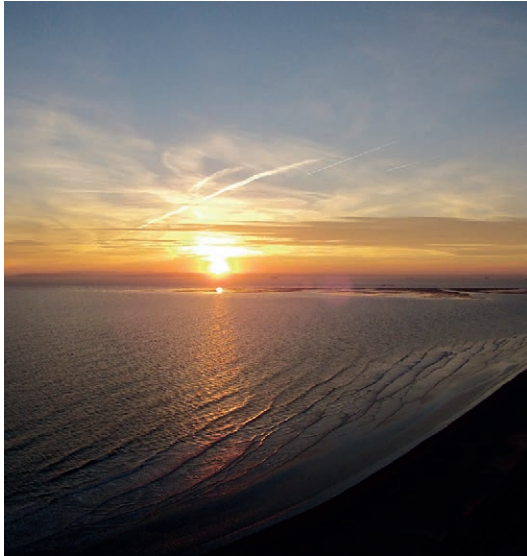


A better future for all

Supporting our environment, our society and our economy
A water quality strategy by Havant Borough Council



www.havant.gov.uk/nitrogen



Havant
BOROUGH COUNCIL

Foreword from Havant Borough Council and Natural England



Our coastline is one of our most treasured assets. Loved by residents and internationally recognised for its valuable habitats, we as a council are determined to maintain and preserve this ecological jewel for future generations.

However, the pressures of society are beginning to negatively impact on our coastline. The different uses of our local area for housing, commerce, industry and agriculture have been contributing to an increase in nutrients along the Solent. We need to make sure that new development does not add a new burden on our coastline.

At Havant Borough Council, we have actively sought to address this issue. Pioneers from the outset, we have explored new methods of development and land management and are now in a position to introduce a solution which will effectively mitigate against nutrients for generations to come. What's more, the solution not only enhances our natural environment, it is also an elegant and self-sustaining answer to such a significant issue.

This document highlights our journey – from understanding the issue to implementing a solution. The benefits for all are profound, and it is my pleasure to have been involved in such visionary work within our borough.

On a final note, I would like to take this opportunity to particularly thank the farmer who has kindly worked with us on this journey. With strong local ties, he has truly provided the borough with a magnificent opportunity and a spectacular legacy.

Cllr Michael Wilson

Leader of Havant Borough Council



Natural England is really pleased to have worked with Havant Borough Council to develop its response to the issues around poor water quality in the Solent.

The last few months have shown us how important it is for people to be able to get out and enjoy the countryside. This fantastic new nature reserve at Warblington will provide a lasting legacy for the residents of the borough to enjoy.

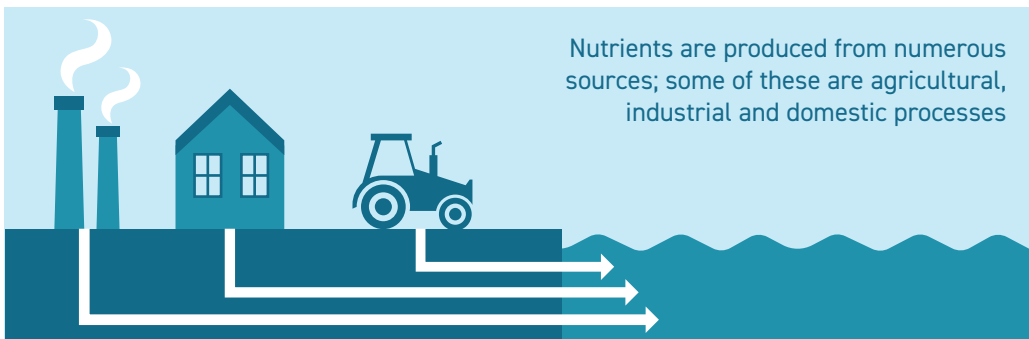
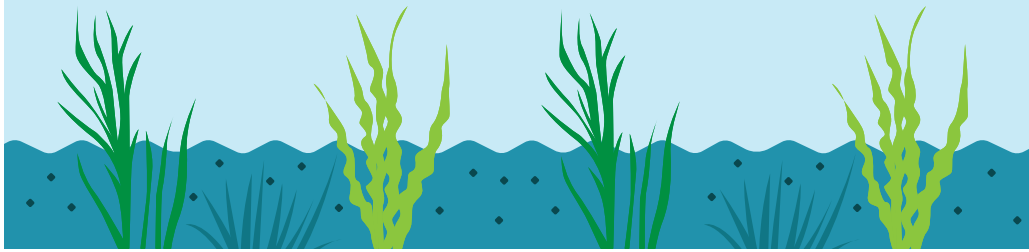
Sites such as this one demonstrate the role natural solutions can play in providing long lasting benefits whilst also helping to offset the impacts of new developments. A win-win for both people and nature.

The new nature reserve will provide a really important place for wildlife which people will be able to appreciate whilst walking along the nearly complete England Coast Path. We are really pleased to have been able to support this work and can't wait to see the site deliver thriving nature for both people and the planet.

Marian Spain

Chief Executive of Natural England

Water quality along our coastline can be damaged by excessive nutrients



Nutrients are produced from numerous sources; some of these are agricultural, industrial and domestic processes

What is the issue?

The water quality of our coast can be affected by excessive levels of nutrients – specifically nitrogen and phosphorous - which can come from a number of sources.

An increase in nutrients into the coastal environment can cause a process called eutrophication¹. Nutrients can be found in sewage, fertilisers used on agricultural land and faeces from animals.

Eutrophication is a process which increases plant growth. This process may not sound like an issue; however increased plant growth reduces the amount of oxygen found in water. This process makes it difficult for aquatic insects and fish to survive, consequently limiting or removing a food source from the food cycle and harming a wide range of animals.

“Eutrophication is now recognised to be one of the important factors contributing to habitat change”

Glibert et al 2005²



1: <https://www.eea.europa.eu/publications/signals-2000/page014.html>

2: <http://chnep.wateratlas.usf.edu/upload/documents/EutrophicationAndHABs.pdf>



The Dutch nitrogen case

In November 2018, the European Court of Justice made a ruling³ with profound ramifications, both for the environment and for future development. Generally known as the “Dutch Case”, the ruling clarified the process of undertaking appropriate assessments for new projects to assess their future nitrate impact on the environment.

The council has to take on board this ruling when undertaking appropriate assessments on planning applications. Crucially, as parts of the Solent are already in unfavourable condition due to excess nutrients causing eutrophication, this meant that it was not appropriate to permit new schemes that would result in extra nutrients, no matter how few.

In order for development schemes to be permitted, they need to be ‘nutrient neutral’, i.e. for the amount of nutrients going into our protected harbours to not increase due to development. Most importantly, proposed mitigation measures for a project could not be taken into account “if the expected benefits of those measures are not certain at the time of that assessment”.

Areas of special interest within the borough affected by this ruling include:

- Solent Maritime Special Area of Conservation (SAC)
- Chichester and Langstone Harbour Special Protection Area (SPA)
- The Ramsar designation for Chichester and Langstone Harbours

Additionally, consideration is required for the wider regional coastline, including six neighbouring sites protected by European law, such as the Solent and Dorset Coast SPA.

Although the ruling was initially focussed on agricultural output, the nuances of the Dutch Case reach far beyond this industry.

An ECJ ruling in 2018 which dealt with nitrate issues arising from agriculture had wider reaching consequences



Mitigation measures are required in areas that risk reducing water quality



3: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62017CA0293>



The impact on development

In 2018, an Integrated Water Management Study for the south Hampshire area identified uncertainty in accommodating new housing growth (as required by central government) without nutrients having a detrimental effect on the coastline. With this uncertainty, it is not possible for the council, in consultation with Natural England, to be certain that the development would not lead to environmental harm due to the extra nutrients.

As new housing developments would add to nitrate levels though the production of wastewater, most new housing proposals were left undetermined until a solution could be found. A number of schemes were able to be permitted due to their resulting in less nutrients entering into the environment – for example, schemes on farmland where nutrients were traditionally added to the soil as part of their previous use.

Natural England rose to the challenge set. It provided clear guidance⁴ on its logic and a future direction. As a result of this, nutrient budgets are now required and all development schemes need to be nutrient neutral. Nutrient neutrality – where new developments in the borough do not add any additional nutrient load on the environment – was pivotal to addressing the requirements raised through the Dutch Case ruling.

Additionally, the borough of Havant had another variable to deal with. Our Regeneration Strategy and Local Plan rely on the regeneration of our town centres and a great deal of development being built on those sustainable sites. These could never be nutrient neutral on their own and would require a solution independent of their physical location. Without such a solution, these vital regeneration schemes would not be able to go ahead.

Larger developments must quantify their impact



When calculated, developments must ensure they are nitrate neutral



4: <https://www.push.gov.uk/wp-content/uploads/2020/03/Advice-on-Achieving-Nutrient-Neutrality-for-New-Development-in-the-Solent-Region-March-2020.pdf>



Arriving at a solution

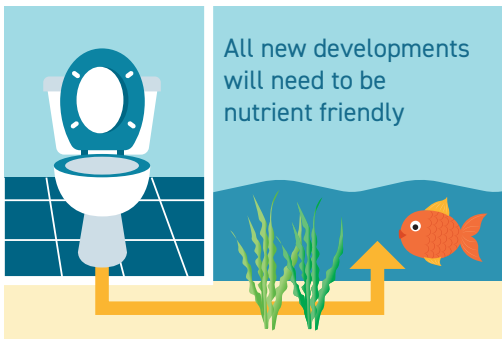
With regards to future development, two fundamental approaches to nutrient neutrality exist. These are:

On-site mitigation: Where mitigation methods are implemented at the site of development that reduce nutrient output. Examples include on-site treatment plants, or (only with former agricultural sites) delivering open space provision or more bespoke solutions such as reed beds.

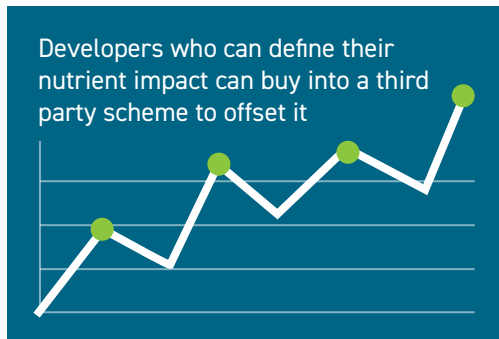
Off-site mitigation: This is where each new development financially contributes towards a third-party scheme that is not part of the development per se. This is the same approach as is used by the award-winning Bird Aware Solent partnership, of which Havant Borough Council is a member.

As agriculture is a substantial contributor to nutrient levels in the borough taking agricultural land out of production provides not only reduced nutrients, but at a much higher level than equivalent development adds to them. This creates essential leeway to continue much needed development within the borough, without increasing nutrient levels.

Accurate measurement and budgeting mechanisms – as identified by Natural England – provide the means to verify impact and qualify it against savings made using an off-site mitigation offer. This ensures compliance with the outcome of the Dutch Case.



All new developments will need to be nutrient friendly



Developers who can define their nutrient impact can buy into a third party scheme to offset it



The Havant offer

Recognising a pro-active approach was key, Havant Borough Council developed its own bespoke solution to addressing nutrients. The solution involves:

- The council taking over the management of a 148 acre (60 hectare) site - currently used for agriculture - situated on the coast of Warblington
- Decommissioning the site from intensive agricultural use, to have a positive impact on nutrient levels along the coastline
- Converting the site into a nature reserve, providing a safe haven for animals and plants
- All future developments calculating their specific nutrient budget, using the methodology approved by Natural England
- Applicable new developments within the borough paying a contribution towards the offsite mitigation offered, reflecting the additional nitrate loads they produce
- Stewardship of the site being funded purely by contributions, with no additional cost to the council or taxpayers

There is currently a footpath which runs through the site from Warblington Cemetery to Nore Barn Woods. This would be retained and upgraded as part of Natural England's coastal path initiative. Over time, further improvements will be added to the site to increase its use by the same protected geese and waterfowl which use the harbours, whilst also enabling visitors to understand and appreciate the local environment. This is a long-term project for the council, and little will change overnight. However, over time, the site will become a treasured asset - a destination from which to both enjoy our amazing coastline and appreciate the species contained within it.

The benefits



For the environment

Key benefits include:

- Local water quality will be managed to the benefit of no less than nine internationally protected conservation sites
- Nearly 150 acres of permanent coastal land to support internationally-significant numbers of overwintering waders and wildfowl
- The potential to manage the former watercress beds on the site, offering further opportunities to improve nearby water quality
- Naturalisation of the site will create meadowlands which will greatly diversify insect, plant and animal life. Butterflies, orchids and wild flowers will enrich the local environment
- The strategy aligns with the forthcoming Environment Bill⁵, actively providing substantial ecological net-gain in the borough and potential for future projects

5: <https://services.parliament.uk/bills/2019-21/environment.html>



For housing:

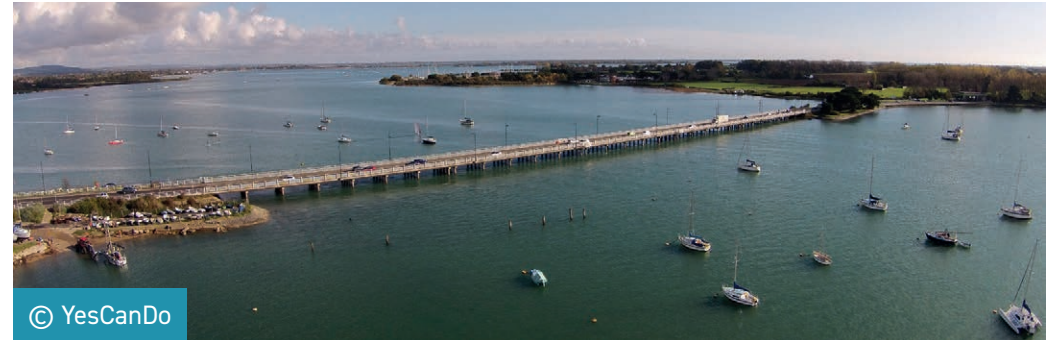
Key benefits include:

- A methodology now exists to calculate and immediately offset additional nutrient loads for new development in Havant borough
- Planning applications following this methodology are now legally compliant, in line with the advice and guidance provided by Natural England
- The council can adhere to the National Planning Policy Framework requirement⁶ “to support the Government’s objective of significantly boosting the supply of homes”
- The housing need of the borough can be affordably and quickly met by developers
- Care homes and other specialist types of residential accommodation can now be developed to meet recognised local need

6: <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

“Building the homes the country needs is central to the mission of this Government and is an important part of our plans to recover from the impact of the coronavirus. Havant Borough Council has offered an innovative idea to deliver more much-needed new homes while protecting and enhancing our natural environment for today, and for future generations.” *Housing Minister Rt Hon Christopher Pincher MP*

The benefits



For investment

Key benefits include:

- The borough is open for business and ready for regeneration and development - with clear paths for securing planning permission
- A highly cost-effective means of nutrient mitigation has been developed
- The scheme is highly efficient for developers, providing easy access to a solution which requires no further intervention
- It removes the necessity for developers to find their own off-site solutions
- Simple processes are in place to swiftly process legal agreements, resulting in no delays

7: <https://www.gov.uk/government/collections/england-coast-path-improving-public-access-to-the-coast>

8: <https://www.theccc.org.uk/2020/05/06/take-urgent-action-on-six-key-principles-for-a-resilient-recovery/>

For society

Key benefits include:

- The scheme provides a new, major natural asset for the public to enjoy, incorporating the England Coastal Path⁷
- The long-term ecological prosperity of the coastline is secured – and at no cost to the public
- New interpretation opportunities will be provided as the reserve develops for visitors to learn and engage with the environment
- Over time, new species of birds and animals will enhance the coastline for all through careful stewardship of the reserve
- The future prosperity of the borough is secured through providing a climate-resilient economy⁸, with new employment opportunities and recognised housing needs being met without barriers

“This new nature reserve is a prime example of collaborative working between local authorities, Natural England and central government to drive nature-based solutions and alleviate the housing pressure in the local area. It’s more important than ever for people to connect with nature as the nation recovers from coronavirus and sites such as this create long-lasting benefits by enhancing biodiversity, improving water quality and providing a space for people to visit.” *Environment Minister Rt Hon Rebecca Pow MP*

The perspective of our partners

Natural England

The Solent coastline is internationally recognised for its important wildlife and habitats. Throughout the year thousands of birds migrate to the Solent to feed, breed or avoid colder winters. It is a very special place. However we know that the Solent faces a number of issues which are affecting its wildlife as well our own enjoyment of the coast. Poor water quality, as a result of eutrophication, is one of these issues.

Natural England is very pleased to have worked in partnership with Havant Borough Council to develop a solution which will help to create more space for wildlife. The creation of this new nature reserve will create a new space for birds to feed and shelter. The reserve will also ensure that any new housing within the borough will not affect the Solent's water quality thereby helping to deliver sustainable development. We are pleased too that Havant Borough Council will be using this opportunity to improve current access levels so that more people will be able to enjoy this special stretch of coastline. It's great (and rare) to see a project come forward which enables development, improves access for residents and delivers for wildlife on such a large scale in such an important location.

There is still much more to be done to make sure the Solent remains a fantastic place for wildlife, particularly as the impacts of climate change become even more pressing. However schemes such as this, delivered in partnership, demonstrate what can be achieved and are the model for how we should look to respond to some of the biggest environmental challenges that we face.

Solent LEP

The project at Warblington Farm, in which the Solent Local Enterprise Partnership (LEP) has invested £225,000, is an excellent addition to the Solent Recreation Mitigation Project, which has developed and improved strategic green areas across the region. Overall the LEP has invested £1.35 million in this programme of strategic investments across the Solent with sites in Havant, Shoreburs Greenway in Southampton, Port Solent in Portsmouth, Alver Valley in Gosport, and Manor Farm in Bursledon.

Critically, these projects support the unlocking of new housing developments in a sustainable way, by providing a network of green lungs that new communities can enjoy and reduce pressure on some of our precious coastal sites that are also home to wading birds that can be easily disturbed.

In addition, these valuable local areas bring green spaces closer to the Solent community, providing countless health and wellbeing benefits, and reducing the need to travel further to reach other beauty spots. The additional advantage of ensuring that the birds that inhabit or migrate to the Solent is also hugely important in sustaining the beautiful natural environment that we share with them, and supporting the community's opportunity to learn more about the natural world in the Solent region.

Bird Aware

Places like Hayling Island oyster beds, Emsworth and Broadmarsh are extremely important areas for wildlife. They are rich in crustaceans and invertebrates that are suitable for countless ducks, geese and wading birds.

Havant Borough's shoreline lies towards the eastern end of Bird Aware Solent's region and the Warblington Nature Reserve will create a valuable addition to the area. It will help to support future generations of migratory birds and many other important species of wildlife. It will also add to the web of nature rich habitats spread across the borough, that all combine to support and increase biodiversity.

Key species migrating to the Solent every year that would benefit from the site are the dark-bellied brent goose. 10% of the world's population choose the Solent as their home during winter, with many of the 25,000 birds spending this on Langstone Harbour. The favoured diet of a brent goose is eel grass which is found in our waters. They also eat grass on land and use open space to rest, which makes this site very significant for them.

Creating places where people and animals alike can share space is vital for development and for the future.

In conclusion



Havant Borough Council's approach to addressing nutrients provides a true long-term solution with multiple benefits to an array of partners. By recognising its role as both custodian for our protected landscape, and as a supporting figure in ensuring economic prosperity for the borough, the council has provided a considered, effective and self-sustaining mechanism to meet both responsibilities. Its strategy offers both a means to protect the irreplaceable, and a means to provide socio-economic stability for residents, businesses and those who invest in the borough.

Within a few years, the Warblington nature reserve will be a rich and established ecological resource that will be enjoyed and appreciated by all. Its ability to help people learn and be inspired by their landscape will only be surpassed by its role in maintaining the delicate ecological balance of our internationally protected coastline.



Further reading

Comprehensive materials can be found on the Havant Borough Council website at www.havant.gov.uk/nitrogen.

From introductory animations and a beginner's guide, through to explanatory videos for planning agents and full technical documentation, www.havant.gov.uk/nitrogen provides all the details behind the council's solution to nutrients.





www.havant.gov.uk/nitrogen